



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,962	08/09/2002	Masamichi Takayama	450101-03388	1116

20999 7590 06/07/2005

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

LEE, MICHAEL

ART UNIT PAPER NUMBER

2614

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/089,962

**Applicant(s)**

TAKAYAMA, MASAMICHI

**Examiner**

M. Lee

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2002.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 10-14 and 22-26 is/are allowed.  
6) ☒ Claim(s) 1-9 and 15-21 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/8/02.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 5, 6, 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamauchi (5,956,090).

Regarding claim 1, Yamauchi discloses a television standard converter showing a signal generating means (8), and a data inserting means (9).

Regarding claim 2, see col. 3, lines 1-6, and lines 55-59, and col. 4, lines 21-31.

Regarding claim 5, Yamauchi shows a signal generating means (8), and a data inserting means (9). The frame number in Yamauchi meets the sequence number as claimed.

Regarding claim 6, Yamauchi shows a data extracting means (col. 4, lines 64-65), and a data generating means (col. 4, lines 65-68).

Regarding claims 15, 16, and 17, Yamauchi shows a converting step (8), and an inserting step (9).

Regarding claim 18, Yamauchi shows an extracting step (12), and a processing step (16).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 7, 8, 9, 19, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi (5,956,090).

Regarding claim 3, Yamauchi does not specify the second data inserting means as claimed. Instead, the combination of time value  $T$  and frame number  $F_{out}$  as  $TC_{out}$  is being inserted into the vertical blanking interval by time code combiner 9. In any event, it is clear that the  $T$  and  $F_{out}$  can be inserted into the converted video signal by other methods. It is a matter of simple mathematical manipulation. For instance, the  $T$  and  $F_{out}$  can be separately combined with the converted video signal sequentially while still arrives the same result as claimed. Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Yamauchi so that alternative  $T$  and  $F_{out}$  combiners could be used to replace the existing combiner. The selection of such combiner would have been a matter of design choice since the combining of  $T$ ,  $F_{out}$  and converted video signal could be combined in many different ways.

Regarding claim 4, the frame number in Yamauchi meets the sequence number as claimed.

Regarding claim 7, Yamauchi discloses all the feature of the instant invention as discussed above except the means for converting 24-frame rate source video data to 30-frame rate video data by means of 2-3 pull down process as claimed. Yamauchi teaches that the system can be used to convert television signals with different frame rates (col. 4, lines 45-50). Since 24-frame rate telecine video source is needed to convert into 30-frame rate video signal, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Yamauch to include a 2-3 pull down converter so that a film source could be used as the video source. In fact, Yamauchi demonstrates a conversion very close to 24-frame rate to 30-frame rate 3-2 pull down conversion (col. 4, lines 32-44). Yamauchi teaches that additional fields are repeated in such conversion, the gist of 2-3 pull down conversion. The timing coordinator 7 meets the means for describing as claimed since it handles both the input video time code and output video time code.

Regarding claim 8, in addition of rejection to claim 7, Yamauchi further states that the time code formats has been standardized by SMPTE (col. 1, lines 26-28).

Regarding claim 9, in addition of rejection to claim 7, Yamauchi further shows a data inserting means (9).

Regarding claim 19, see rejection to claim 7.

Regarding claim 20, see rejection to claim 8.

Regarding claim 21, see rejection to claim 9.

***Allowable Subject Matter***

5. Claims 10-14, and 22-26 are allowed.

Art Unit: 2614

6. The following is a statement of reasons for the indication of allowable subject matter: Prior art does not teach or suggest the means for generating an edition list as recited in claims 10-14, and the editing list generating step as recited in claims 22-26.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kanda (6,345,143) shows a time code adding unit 312.

Ogawa et al. (5,857,044) shows a time code generator 11.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number 571-272-7349. The examiner can normally be reached on Monday through Thursday from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2614

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'M. Lee', with a stylized, flowing script.

M. Lee  
Primary Examiner  
Art Unit 2614